

Message Text

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PAGE 01 OTTAWA 02158 101726Z

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ACTION EUR-25

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TO SECSTATE WASHDC 1692

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TAGS: ENRG, ETRN, SENV, PBOR, CA, US

SUBJECT: PITTSTON PORT BID IN MAINE.

1. FOLLOWING CP ARTICLE ON SUBJECT DATELINED EASTPORT APPEARED
IN MONTREAL GAZETTE SEPTEMBER 10:

BEGIN QUOTE: THE LATEST ROUND IN THE PITTSTON OIL HEARINGS
ENDED HERE ON THE WEEKEND WITH INDICATIONS CANADA'S OBJECTIONS
TO A PROPOSED SUPERTANKER ROUTE MIGHT EVENTUALLY BECOME A
MATTER FOR NEGOTIATION WITH THE UNITED STATES.

RUFUS SMITH, DEPUTY ASSISTANT U.S. STATE SECRETARY FOR
CANADIAN AFFAIRS, SAID THE STATE DEPARTMENT DOES NOT BELIEVE
CANADA HAS THE RIGHT TO ARBITRARILY BLOCK EASTPORT-BOUND SUPER-
TANKERS FROM ITS TERRITORIAL WATERS.

BUT THAT DOES NOT EXCLUDE THE POSSIBILITY CANADA COULD
"REASONABLY" REGULATE TRAFFIC AND NAVIGATION.

THE U.S. MIGHT HAVE TO RELY ON BARGAINING, ARBITRATION OR
PERSUASION TO SETTLE THE QUESTION, HE SAID.

THE ENTIRE MATTER WOULD BE ACADEMIC IF THE MAINE BOARD OF
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PAGE 02 OTTAWA 02158 101726Z

ENVIRONMENTAL PROTECTION TURNS DOWN A BID BY THE PITTSTON

CO. OF NEW YORK TO BUILD A \$350 MILLION DEEPWATER TERMINAL
REFINERY IN THE FISHING COMMUNITY.

THE STATE DEPARTMENT DOES NOT WANT TO BECOME INVOLVED IN A
HYPOTHETICAL CASE, SMITH SAID. DIPLOMATIC TALKS ON THE PITTSTON
TANKER QUESTION WOULD HAVE TO AWAIT THE ENVIRONMENTAL BOARD'S
FINAL DECISION.

BOARD HEARINGS ON THE PITTSTON PROPOSAL ARE SCHEDULED TO
CONTINUE NEXT MONTH AT AUGUSTA, MAINE.

OTTAWA'S OBJECTIONS ARE BASED ON THE DANGER OF OIL SPILLS
FROM SUPERTANKERS WHICH PITTSTON HOPES TO SEND INTO HEAD HARBOR
PASSAGE, A SIX-MILE CANADIAN CHANNEL LINKING EASTPORT WITH THE
OPEN SEA.

THE RISK OF SPILLS WAS CONSIDERED "UNACCEPTABLE", THE
CANADIAN GOVERNMENT SAID EARLIER THIS YEAR IN A NOTE TO THE
STATE DEPARTMENT.

SMITH SAID THAT POSITION WAS REAFFIRMED DURING THE LAST TWO
WEEKS BY A LETTER HE RECEIVED FROM A SENIOR MEMBER OF THE
CANADIAN EMBASSY IN WASHINGTON.

MARITIME LAW MIGHT ALSO BE INVOLVED, HE TOLD BOARD MEMBERS.
HE DID NOT DISCOUNT THE POSSIBILITY CURRENT UNITED NATIONS
TALKS ON THE LAW OF THE SEA MIGHT HAVE AN EFFECT ON THE
EASTPORT QUESTION.

IF WASHINGTON AND OTTAWA TOOK DIFFERENT POSITIONS ON PITTSTON'S
RIGHT TO USE THE CHANNEL, RECONCILIATION MIGHT BE DIFFICULT AND
TIME-CONSUMING.

HE SAID HE BELIEVED CANADA WAS NOT SEEKING UNEQUIVOCAL POWER
OVER SHIPS IN THE PASSAGE BUT WAS LESS THAN ENTHUSIASTIC
WITH PITTSTON'S PLAN TO USE THE CHANNEL FOR TANKERS.

EARLIER TESTIMONY REVEALED THAT A 1957 CANADIAN STUDY SHOWED
TIDAL CURRENTS IN THE PASSAGE SOMETIMES REACHED 3.5 KNOTS,
A SPEED CONSIDERED DANGEROUS TO THE HUGE MASS OF OIL-LADEN
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PAGE 03 OTTAWA 02158 101726Z

SUPERTANKERS.

CANADIAN HARBOR PILOTS FROM THE MARITIME PROVINCES WHO VISITED
THE EASTPORT SITE LAST FALL AT PITTSTON'S REQUEST LATER
RECOMMENDED THE OIL COMPANY COMPILE NEW DATA ON CURRENTS IN
THE PASSAGE.

THE CANADIAN PILOTS RATED THE TERMINAL SITE THREE ON A SCALE

OF 10 BECAUSE OF THE UNCERTAINTY OF THE TIDAL CURRENTS.

PITTSTON CONSULTANTS PLAN TO CONDUCT NEW STUDIES IN THE
PASSAGE IF THE ENVIRONMENTAL BOQRD GIVES APPROVAL TO THE
REFINERY PROJECT.

TIMETABLES PREPARED ON PITTSTON'S BEHALF, INDICATED SUPER-
TANKERS COULD NAVIGATE THE CHANNEL AND DOCK IN SLIGHTLY MORE
THAN TWO HOURS. DURING THAT PERIOD, THEY WOULD ENCOUNTER CURRENTS
THAT WOULD NOT EXCEED AN ACCEPTABLE LEVEL OF 1.5 KNOTS SAID A
PITTSTON CONSULTANT. ENQ QUOTE
SCHMIDT

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